



Frequently Asked Questions: OSPI Open Policy

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Why has OSPI adopted an open policy?

Open licensing helps public institutions better meet their missions of disseminating resources, breaking down the typical barriers associated with traditional copyright by granting permission to use the materials in advance. This policy serves two purposes:

1. clarifies the copyright holder on work created by OSPI staff, contractors and grantees
2. clarifies an open licensing requirement on materials intended for use in schools or state programs

This policy will allow school districts, Educational Service Districts, and members of the public, to realize the educational impact from the substantial investments the state, the federal government, and foundations have made (and will continue to make) in educational resources created by OSPI employees. Attribution credit will be given to OSPI as the resource creator but we will no longer need to field copyright permission requests.

What are Open Educational Resources (OER)?

Open educational resources (OER) are teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. OER include full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge.



How do OER help educators and students?

Open educational resources give educators the ability to adapt instructional resources to the individual needs of their students, to ensure that resources are up-to-date, and to ensure that cost is not a barrier to accessing high-quality standards-aligned resources.

What is the difference between 'free' and 'open' resources?

Open educational resources are free, but not all free resources are OER. Free resources may be for online viewing only, free for a limited time, or may be restricted from use at some time in the future (including by the addition of fees to access those resources). Free resources which may not be retained, adapted or redistributed without express permissions from the copyright holder are not OER. OER are free to access and the public can legally retain, reuse, revise, remix, and redistribute the resources.

How do I know if a resource is openly licensed or in the public domain?

The key distinguishing characteristic of an open resource is its intellectual property license and the freedoms the license grants to others to share and adapt it. If a lesson plan or activity is not clearly tagged or marked as being in the public domain or having an open license, it is not OER. It's that simple.

[Creative Commons'](#) copyright licenses are standardized, free-to-use open licenses that facilitate the development and use of OER and are recommended for use by all K-12 educators.

Why do we use the Creative Commons Attribution license?

All original resources created under this policy will be released under the [Creative Commons Attribution license \(CC BY\)](#). Creative Commons licenses do not replace copyright, but are based upon it. CC BY is a license that lets others distribute, remix, tweak, and build upon work, even commercially, as long as they provide credit for the original creation. This is the most accommodating of licenses offered. It is recommended for maximum dissemination and use of licensed materials. Using the attribution only license (CC BY) encourages the creation of derivative works and promotes innovation.

In the case of derivative works, the adapted materials must be licensed with the least restrictive open license possible that is not in conflict with existing licenses. The [OSPI Copyright and Open Licensing Tool](#) walks through the different cases and provides guidance as to the final license.

Do all documents created at OSPI fall under this policy?

This policy is applicable for:

- resources be distributed to schools, educational programs, or the general public
- resources that will be posted on the OSPI website
- resources that will be publicly presented

This policy is not applicable for work that is intended for limited use within the agency or where pre-existing materials were purchased and carry a license that is specific only to one usage of the materials (e.g. a purchased stock image used on a poster/brochure).



Are there situations where applying an open license is not possible?

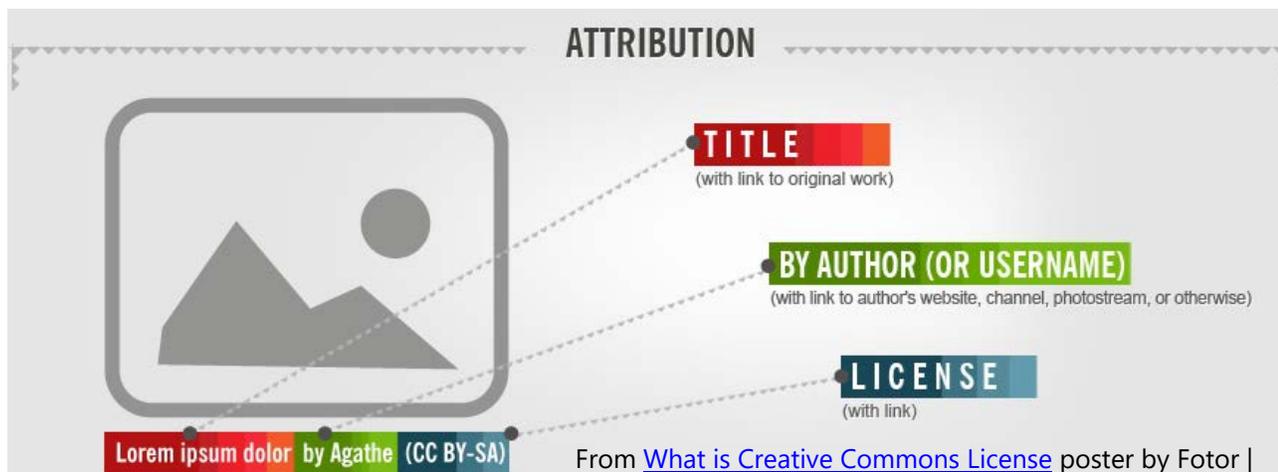
Generally speaking, this policy is applicable to all original resources produced by OSPI staff, contractors or grantees. For any special cases that may arise during contract negotiations, contact the OSPI chief legal officer or communications office to discuss potential exemption.

Is this policy retroactive?

Though the policy is not retroactive, departments are encouraged to revisit instructional materials produced in earlier years and, if possible, apply an open license. Examples include state developed assessments and standards.

What is the best way to provide attribution for other openly licensed materials in my work?

All Creative Commons licenses require that you attribute the original author(s). There is not necessarily one correct way to provide attribution. The attribution must be given to the best of one's ability using the information available. You should always include: **author, title, license type, and any copyright notices**. Below is a portion of a larger infographic on the subject. Click on image to go to site.



Other guides to attribution:

[Creative Commons Best Practices for Attribution](#)

[Attributing Creative Commons Material](#) - Creative Commons Australia



I'm a contract manager, what is my role in this process?

Confirm all elements of the contractor's work (e.g. text, images, charts) are eligible to be shared. This means their work should be one or a combination of the following types:

- Contractor's original work,
- built from open resources,
- built from works in the public domain, or
- built from copyrighted work that the contractor obtained permission to use

When the product is complete and the contractor is ready to apply the open license, the contractor must alert their contract manager, who will go online to the [OSPI Copyright and Open Licensing Tool](#) to develop an open license statement for use on the product.

Where can I download the Creative Commons icons to use on my print or digital materials?

[Creative Commons Logo Downloads](#)

Where should the license information appear on my resources?

If your work will be appearing online only, be sure to include the html code generated on the [Creative Commons license chooser](#) on your webpage/delivery platform. This will ensure that the document has metadata that will allow search engines looking for openly licensed works to locate your resource.

If you are creating a downloadable resource, be sure that in addition to marking the webpage where the resource will be downloaded, you also mark the resource itself. This will ensure that the license information is tied to the resource and that information does not get lost when the work is accessed separately from the point of download.

For suggested license wording, please visit the [OSPI Copyright and Open Licensing Tool](#). Though there are no hard and fast rules about where the license information is located within your resource, a good practice would be to include the information in the footer of your materials or on the title or final page.

I've created my resource and applied an open license, now what?

To post material to the OSPI website, you will need to submit a web request via the OSPI SharePoint site: [Submit a Web Request](#)

To spread the word about your resource and increase dissemination, contact the [OER Program Manager](#) to discuss creating a referring link to the work on our [WA Hub on OER Commons](#).



I have concerns that any adaptations will make my resource less valid.

If there are concerns regarding potential adaptations, consider adding a statement to your work that highlights the concern and provides instruction on how to attribute OSPI so it is not mistaken as the distributor of the derivative work.

Example:

This work has been created in partnership with organizations representing the diverse communities within Washington. Please be aware that any adaptations should be considered carefully so as not to impact this thoughtfully crafted content design or introduce any unintended bias.

If this work is adapted, note the substantive changes and re-title, removing any Office of Superintendent of Public Instruction logos. Provide the following attribution: "This resource was adapted from materials provided by the [Office of Superintendent of Public Instruction](#)". We also ask that you provide a direct link back to the original source materials.

Have additional questions?

This FAQ is an evolving document. Please contact the OER Program Manager with any additional questions for inclusion on this FAQ.



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